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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/460,944	12/14/1999	ERAN SITNIK	PHA23.898	3145

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
P.O. BOX 3001  
BRIARCLIFF MANOR, NY 10510

EXAMINER

BUI, KIEU OANH T

ART UNIT	PAPER NUMBER
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2611

DATE MAILED: 07/23/2004

23

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/460,944

Applicant(s)

SITNIK, ERAN4

Examiner

KIEU-OANH T BUI

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 17 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

*(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.*

3. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hiyoshi (JP10-248020-A) in view of Harper et al. (US Patent 5,537,141).

Regarding claims 1 and 7, Hiyoshi discloses a television system (Figs. 1 & 2) comprising: a connection configured to be operatively coupled to a connection of an other television (Figs. 1 & 2 as parent's television is coupled to child's television for monitoring purpose, page 5/23, section 0003, and pages 6/23-7/23 sections 0006-0007); and

a processor configured to provide information to the other television requesting information identifying at least one of content and channel currently watched on the other television and configured to automatically provide information identifying at least one of content and channel currently watched at said television in response to a request from the other television, i.e., the parent can request to monitor or view the content from any child's television with the parent television control means, and the request information including the content and

channel currently watched at the child's television is displaying at the parent's television display (see Figs. 1 & 2/item 16 for parent television control means, and page 5/23, section 0003, and pages 6/23-7/23 sections 0006-0007).

Hiyoshi does not further identify exactly the requests as "query information" and "providing queried information in response to a query request" from the other television based on a "peer-to-peer" interaction as argued by the Applicant; however, the technique of using "a query request" from a user to request for "query information" from another user at the other television is taught by Harper as Harper teaches a system that a teacher uses a video television system which communicates a plurality of television users (students), and based on the user query requests, the queried information can be provided to the users from the video television system of the teacher based on "one-to-one" interaction or in a "peer-to-peer" manner (see Harper, Fig. 1, and col. 3/line 35 to col. 4/line 39, col. 9/lines 18-33, and col. 23/lines 39-61) for one-to-one interactive concept at remote locations among television users on process and query processes between the teacher and the students/users using a computer routine for requesting and providing queried information).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hiyoshi's television-to-television interactive system with Harper's teaching technique in using query information between video television sets and/or computers as means for communicating between televisions whenever a request for that queried information initiated by one of the interactive television users.

As for claims 2-3 and 8, in view of claim 1 above, the combination of Hiyoshi and Harper further teaches "wherein said connection is configured to provide said query and queried information to the other television", i.e., using the link between the parent television and the child television (as illustrated in Hiyoshi, Figs. 1 & 2 using queried information based on "one-to-one interaction" as taught by Harper) and "wherein said processor is configured to receive

query compliance status information identifying if said television is set up to share queried information with the other television”, i.e., the status information such as the content of whether is being watching on the child television is shared with the parent television (Hiyoshi, page 5/23, section 0003, and pages 6/23-7/23 sections 0006-0007) with the query information taught as described by Harper earlier, and furthermore, Harper also providing status information identifying other participants (col. 19/lines 1-4 & col. 23/lines 20-30).

As for claims 4 and 9, Harper further suggests “wherein said processor is configured to receive identifying information from a user prior to enabling the user to do at least one of set and change query compliance status information”, i.e., a validation process is performed before any set and change query compliance status information (Harper, col. 19/lines 33-42 for ID code for authorizing to participate in the direct connection).

As for claims 5 and 10, the step of “wherein said processor is configured to provide any queried information to the other television that does not violate the query compliance status of the other television” is suggested by Harper as Harper suggests that the direct session connection can be terminated if some query compliance status is not valid (col. 25/lines 1-17).

As for claims 6 and 11, Hiyoshi further discloses “wherein the connection is one of an in-home network connection”, i.e., the parent monitors the child’s television content within an in-home network (Figs. 1-2, and page 5/23, section 0003, and pages 6/23-7/23 sections 0006-0007), but not “an Internet connection”; however, the Examiner takes Official Notice that it is well-known in the art that the television system can be easily hooked up to an Internet connection using at least a modem or a cable modem or an internet interface installed within the television system. In fact, Harper teaches to use the Internet for Harper’s remote and direct connection (Harper, col. 18/lines 26-42 & col. 23/line 62 to col. 24/line 2). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hiyoshi’s system with the internet connection as taught by Harper in order to connect to the

Internet for communicating over the Internet at a remote locations, if preferred, the communication among users not only within a home network but also within a much broader network such as over the Internet.

Regarding claims 12-14 and 16-20, these method claims and system claims with same limitations are rejected for the reasons given with respect to the system claims of 1-11 as already disclosed above.

As for claim 15, Harper further suggests "wherein said identifying is performed by a mediator that is separate from each of said plurality of televisions", i.e., an administrative station acts as a mediator between the teacher and students regarding as television users (Fig. 1, and col. 15/line 50 to col. 16/line 14).

### ***Conclusion***

**4. Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 872-9306 (for Technology Center 2600 only)

*Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).*

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krista Kieu-Oanh Bui whose telephone number is (703) 305-0095. The examiner can normally be reached on Monday-Thursday from 9:00 AM to 6:00 PM, with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant, can be reached on (703) 305-4755.

Application/Control Number: 09/460,944  
Art Unit: 2611

Page 6

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 306-0377.

Krista Bui  
Art Unit 2611  
July 19, 2004

A handwritten signature in black ink, appearing to read "Krista Bui", with a long horizontal line extending to the right.

**KRISTA BUI  
PATENT EXAMINER**